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PART IV.

NOTIFICATIONS BY THE HEADS OF DEPARTMENTS.

JUDICIAL DEPARTMENT.

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

Roc. No. 719 *of* 26-27, *dated* 26*th day of January* 1927.

SUBJECT.

Presentation of appeals after the period of limitation.

Under Rule 6 of the Chief Court Rules (*vide* page 24, Volume I, General Rules and Orders—Civil) it is laid down that all appeals.....presented after the time prescribed by law must be accompanied by an explanation of the delay supported by an affidavit and that the statement of the cause of the delay should be made in the memorandum of appeal..... .....

In many cases the appellant or his counsel does not state in the memorandum of appeal that it is out of time, nor does he file an affidavit explaining the delay. In such cases the memorandum of appeal has to be returned for necessary amendment and the appeal posted for hearing after notice to respondent.

In Madras under Sub-Rule (3) to Rule I, O.—XLI, C. P. C., in such cases a petition supported by an affidavit setting forth the facts on which the appellant relies to satisfy the Court that he had sufficient cause for not preferring the appeal within the period of limitation shall accompany the memorandum of appeal and the Court shall not proceed to deal with the appeal in any way (otherwise than by dismissing it either under Rule 11 of that order or on the ground that it is not satisfied as to the sufficiency of the reasons for extending the period of limitation) until notice has been given to the respondent and his objections, if any, have been heard.

The Madras procedure seems to be preferable to the one now in force here of including the cause of the delay in the memorandum of appeal, since a separate judicial order has to be passed condoning the delay before the admission of the appeal.

The following draft rule, which it is therefore proposed to make in exercise of the powers conferred by Section 122 of the Code of Civil Procedure, 1911, is published as required by the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft rule will be taken up for consideration by the Chief Court on or after 19th March 1927.

Any objection or suggestion which may be received from any person with respect to the draft rule before the date aforesaid will be considered by the Chief Court.

Draft Rule.

Add the following as Sub-Rule (3), Rule 1 of Order XLI, C. P. Code, 1911 :—

"When an appeal is presented after the period of limitation prescribed therefor, it shall be accompanied by a petition supported by affidavit setting forth the facts on which the appellant relies to satisfy the Court that he had sufficient cause for not preferring the appeal within such period, and the Court shall not proceed to deal with the appeal in any way otherwise than by dismissing it either under Rule 11 of this Order or on the ground that it is not satisfied as to the sufficiency of the reasons for extending the period of limitation) until notice has been given to the respondent and his objections, if any, to the Court acting under the provisions of Section 5 of the Limitation Regulation, No. IV of 1911 have been heard."

A. SREENIVASARAGAVACHARI,
Registrar.

IN THE COURT OF THE DISTRICT JUDGE, BANGALORE DIVISION.

Insolvency Application No. 16 of 1925-26.

Venkatesannappa, son of Venkataramanappa, residing at Akkipet, Bangalore City ... ... *Petitioner (Debtor).*

vs.

1) S. Venkataramanaiya and 30 others ... ... *Opponents (Creditors).*

Pursuant to a petition dated 16th June 1926, filed by the abovenamed petitioner and on reading the same and hearing parties, it is ordered that the debtor be and the said debtor is hereby adjudged insolvent, on 22st January 1927.

Creditors will prove their debts, on 17th February 1927.

Dated this 31st day of January 1927.

G. SATYAJI RAO,
District Judge.

IN THE COURT OF THE MUNSIFF AT KOLAR GOLD FIELDS.

Insolvency Application No. 27 of 1926-27.

Perumal Mistry, son of Perianna, Blacksmith Maistry, Oorgaum Camp... ... ... *Petitioner*

vs.

(1) D. Javantharaj and 1 others ... ... *Opponents.*

Pursuant to a petition dated 3rd November 1926 against the opponents and on the application of Perumal Maistry (petitioner) and on reading the same and hearing the parties, it is ordered that the debtor be and the said debtor is hereby adjudged insolvent. Time for discharge two years from 25th January 1927.

Dated this 29th day of January 1927.

N. BALAKRISHNAIYA,
Munsiff.

IN THE COURT OF THE SPECIAL FIRST GRADE MAGISTRATE, CHIKMAGALUR.

Notification dated 1st February 1927.

Notice is hereby given under Section 523 of the Criminal Procedure Code, that the undermentioned articles are lying unclaimed in the Court of the First Grade Magistrate, Chikmagalur, and that they will, if not claimed within six months from the date of this notice, be at the disposal of Government :—

Serial No.	Number of the Property Register and the case, if any	Name of property	How the property was produced	Remarks
1.	4 of 26-27 ... C. C. 17 of 26-27	Silk shirting cloth, 3 yards ... Do another sort Do 2 yards black striped, towel, coloured, one, new panche, Lambani black cloth, 9 cubits.	By the Police in Crime No. 3/3 of 1926-27, Ajjampur Range.	Ordered to be treated as unclaimed property.

N. K. SREENIVASA RAO,
Special First Class Magistrate, Chikmagalur.

IN THE COURT OF THE SPECIAL FIRST CLASS MAGISTRATE, CHIKBALLAPUR.

Dated 31st January 1927.

Notice is hereby given under Section 523, Criminal Procedure Code that the undermentioned articles will, if not claimed within six months from the date of publication of this notice in the *Mysore Gazette*, be sold by public auction and the proceeds credited to Government:—

Serial No.	Case number or Property Register number	Description of property	Remarks
1	C. C. No. 79 of 1924-25	(1) One poster's wheel, (2) eight silver gajjes, Tayati, etc., strung together.	Ordered to be returned and not taken delivery of by the accused Mopuriga, Ramadu, Venkatiga, Laxmi, Venkati of Kokkanti.
2	C. C. No. 213 of 1924-25	One gun	Ordered to be returned to accused Pancharam Rachappa of Chikhaggali, Hoskote Taluk and not taken delivery of by him.
3	C. C. No. 225 of 1924-25	(1) a Mura, (2) a piece of gold ಕಂಠಮಣಿ (3) silver bandi kuppe, small, (4) silver two anna rings, (5) silver four small screws, (6) silver rings, (7) silver, sarige, small, (8) silver Tayati, (9) small silver pieces, (10) eight tin buttons, (11) copper tayati, (12) one silver gajje, (13) false pearls, (14) Cash 1-2-11, (15) one green bodice, (16) brass time case, (17) safety pin, (18) bronze minchu, (19) an aluminium button, (20) two corals, (21) ಕೆಂಪುಕಲ್ಲು, one.	Ordered to be returned and not taken delivery of by accused Venkatiga, Subba of Sannepalli and Sogyanampalli.
4	C. C. No. 250 of 1924-25	(1) Brass addike	Ordered to be returned to the complainant Chinnappa of Chikballapur Town.
5	P. R. No. 57 of 1924-25	(1) Axe head, (2) three chisels, (3) one chambu, (4) one kaibachi, (5) brass plate, (6) brass golasu, (7) false pearl string, (8) one sadi.	Ordered to be returned to the person from whom the articles were seized by the Police in Sidlaghatta Kasaba Crime No. 24 of 1924-25.
6	P. R. No. 41 of 1924-25	(1) One bindige and (2) brass chambu ..	Ordered to be returned to Avalappa and Nagamma of Chikballapur Town and not taken delivery of.
7	C. C. No. 47 of 1925-26	Imitation silk bodice	Ordered to be returned to the accused Venkatiga of Garadaganahalli and not taken delivery of by him.
8	P. R. No. 3 of 1925-26	(1) Silver gajje dabu, (2) gold kuppe, (3) gold antigundinasara.	Ordered to be treated as unclaimed property.
9	P. R. No. 5 of 1925-26	(1) ಛಾಂಗಾದಿ 13 ಗಂಜಿನಸರ, (2) money purse, (3) blank check coat, (4) old panche (5) old tweed coats, (6) one pen-knife, (7) old check coat, (8) two old banians, (9) old vastra, (10) a silver piece.	Do
10	C. C. No. 253 of 1924-25	One silver hollow bangle	....
11	C. C. No. 270 of 1925-26	One panche	Ordered to be returned to Venkatarayappa of Achiganahalli and not taken delivery of.
12	C. C. No. 17 of 1926-27	(1) "B" Time-piece. (2) silk towel, (3) one basike cheela. (4) pen-knife.	Ordered to be treated as unclaimed property.

N. SEETHARAMAYYA,
Special First Class Magistrate.

SHIMOGA DISTRICT.

Memorandum No. J. 1-1287—26-27, dated 2nd February 1927.

In modification of this Office Memorandum No. J. 1-1287—26-27, dated 30th December 1926, ordering the constitution of several Benches in the District, the following changes are ordered in respect of the constitution of the Bench Courts, mentioned below:—

1. THE BENCH COURT, HONNALI.

Mr. Mallanaik is appointed to sit as a colleague till the end of February 1927, *vice* Mr. H. Hanumanthappa, who is reported to be not attending the Court and residing at Nyamti.

2. THE BENCH COURT, KUMSI.

Messrs. Katte Narayanachar and Adagadi Karibasappa are appointed to sit as colleagues till the end of February 1927, in place of Messrs. Abdul Rahim and Javali Gurubasappa, pleading inconvenience on account of ill-health.

R. TIRUNARANAIENGAR.
For *District Magistrate.*

TUMKUR DISTRICT.

Notice dated 31st January 1927

It is hereby notified that the following documents are lying unclaimed for more than two years in the undermentioned Sub-Registry Offices in the Tumkur District and that they will be destroyed in accordance with Section 85 of the Registration Regulation, No. 1 of 1903, if not claimed by persons entitled to the same at the respective Sub-Registry Offices within one month from the date of first publication :—

Serial No.	Name of Sub-Registry Office	Number of the book	Number of the instrument	Date of execution	Date of registration or refusal	Names of executants	Names of claimants	Nature and value of transaction
1	Tumkur Sub-Registry Office	I	262	24th July 1924 ..	19th August 1924 ..	Horakeriah alias Thimmappa ..	Veerappa ..	Sale for Rs. 170
2	Do ..	I	264	4th August 1924 ..	Do ..	Thimmakka ..	Do ..	Sale for Rs. 175
3	Do ..	I	601	31st May 1924 ..	3rd October 1924 ..	Narasiah ..	Thimmakka ..	Lease for Rs. 60
4	Do ..	I	656	9th August 1924 ..	14th October 1924 ..	Rangenaika ..	Maimamakka ..	Mortgage for Rs. 46
5	Do ..	I	659	15th August 1924 ..	15th October 1924..	(1) Kempanamaima ..	..	Mortgage for Rs. 130
						(2) Patchagirinaika ..	Maimanaika ..	
6	Do ..		747	6th May 1924 ..	21st October 1924..	Peerkhan ..	Saravara Khan ..	Sale for Rs. 100
7	Maddagiri Sub-Registry Office.	I	395	15th October 1924 ..	15th October 1924 ..	Appanna ..	Ramiah ..	Mortgage for Rs. 50
8	Do ..	I	436	25th October 1924 ..	25th October 1924..	(1) Rudriah ..	Nanjegowda ..	Sale for Rs. 140
9	Do ..	I	578	5th December 1924..	11th December 1924 ..	(2) Malliah ..		
						Eramma ..	(1) Mayakka ..	Do Rs. 200
10	Kunigal Sub-Registry Office	I	2235	24th June 1924 ..	2nd July 1924 ..	Mohamed Masane Saheb ..	(2) Malla ..	
11	Chiknayakanhalli ..	I	284	27th September 1923	3rd October 1923 ..	Byla ..	Mohamed Gous Saheb ..	Exchange Rs. 10
12	Do	I	178	21st August 1924 ..	28th August 1924 ..	(1) Veerappa ..	Kare Rangegowda ..	Sale for Rs. 100
						(2) Sidaveerappa ..	Mariyamma ..	Sale for Rs. 1,500
13	Koratagere Sub-Registry Office.	I	44[illegible]	2nd May 1924 ..	3rd May 1924 ..	Pothiah ..	Sankaramma ..	Gift for Rs. 100

K. MALLARAJ URS,

For District Registrar.

SPECIAL FIRST GRADE MAGISTRATE'S COURT, SHIMOGA.

Notification dated 4th February 1927.

It is hereby notified that under Section 523 of the Criminal Procedure Code, the undermentioned properties produced before this Court, and remaining unclaimed, will be at the disposal of Government, if not claimed within six months from this date :—

Property Register No.	Description of articles
34—1926-27 ...	1. A sealed kandli (ಕಂದ್ರಿ), 2. a bag full of torn and old clothes, wooden spoon, namada pettige (ನಾಮದ ಪೆಟ್ಟಿಗೆ), 3. a gunny bag, 4. a brass vessel (ಕೊಳವನ್ನು), 5. four iron nails, two of them are bent.

C. LAKSHMANA RAO,
Special First Grade Magistrate.

REVENUE DEPARTMENT.

KOLAR DISTRICT.

Notification No. 1485-87—26-27, dated 1st February 1927.

In modification of this office order No. J. C. 197—26-27, dated 7th January 1927, Mr. Abdul Wahab Sahib, retired vaccinator, Kolar, is hereby appointed Village Munsiff of the village court constituted for the portion of the Kolar Town lying to the north of the big bazaar street for the remaining period of the Calendar year 1927.

A. K. SYED TAJ PEERAN,
Deputy Commissioner.

TUMKUR DISTRICT.

Notice No. D2. Dis. 2751—25-26, dated 2nd February 1927.

Under Section 3 (1) of the Minor Tank Restoration Regulation of 1923, notice is hereby given that the Mattighatta Ramadihalli Tank situated in Mattighatta, Nonavinkere Hobli, Tiptur Taluk, is proposed to be taken up for restoration at an estimated cost of Rs. 3,840. Persons objecting to the restoration of the above tank should prefer their objections before the undersigned within two months from this date.

K. V. ANANTARAMAN,
Deputy Commissioner.

OFFICE OF THE TREASURY ASSISTANT COMMISSIONER, IN CHARGE OF SHIMOGA TALUK.

Notification No. C. 101—26-27, dated 31st January 1927.

It is hereby notified for general information that the Pateli Office of Beeranahalli village in the Holehonnur Hobli, Shimoga Taluk, has fallen vacant since the name of the baravardar Patel, Pandurangi Subbarayachar, has been ordered to be removed from the baravard as he did not return to duty from the date on which the leave expired, though apprised of the penalty. Hakdars, if any, to the said office may appear and establish their claims before the undersigned within two years from the date of this notification failing which the hak will be forfeited to Government and permanent arrangements made to fill up the vacancy.

2. Claims put forward after the said period of two years will not be entertained and shall be summarily rejected.

R. TIRUNARANIENGAR,
Treasury Assistant Commissioner.